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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,704	02/26/2002	Gabor Devenyi	01W120	6376

7590 09/10/2003

Raytheon Company  
Bldg. EO/E01/E150  
2000 East El Segundo Boulevard  
P.O. Box 902  
El Segundo, CA 90245

EXAMINER
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HANSEN, COLBY M

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Applicant(s) DEVENYI, GABOR	
Application No. 10/084,704	Art Unit 3682
Examiner Colby Hansen	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>11</u> . | 6) <input type="checkbox"/> Other: .  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9, 10, 12-13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beery et al (US Pat. 3,654,816) in view of Devenyi (US Pat. 5,636,549).

Beery et al (US Pat. 3,654,816) discloses a leadscrew assembly comprising:

A leadscrew 16 comprising:

an cylindrical elongated shaft having an outer lateral surface and a rotational axis, and  
a leadscrew thread;

a hollow drive nut housing 30 comprising:

a nut bore having an unthreaded inner surface with the leadscrew being inserted through  
the nut bore, the nut bore being sized such that the leadscrew may rotate therein about the  
rotational axis, and

a spring pin 10 affixed to the drive nut housing and spanning across the nut bore to  
engage the leadscrew thread;

the spring pin has a first end, a central portion, and a second end, and wherein the first  
end and the second end are each affixed to the drive nut housing;

the first spring pin retainer 24 and the second spring pin retainer 26 each comprise  
openings in the drive nut housing;

a motor 64 that rotationally drives the leadscrew;

and a linear slide mechanism 22 to which the drive nut housing is engaged.

However Beery et al (US Pat. 3,654,816) does not disclose the leadscrew comprising thread wire helically wrapped in spaced-apart turn upon the lateral surface and affixed to the elongated shaft.

Devenyi (US Pat. 5,636,549) discloses, with regard to claim 1, a leadscrew comprising an elongated shaft having an outer lateral surface and a rotational axis, and a leadscrew thread comprising a thread wire helically wrapped in spaced-apart turns upon the lateral surface and affixed to the elongated shaft.

Regarding claim 2, Devenyi (US Pat. 5,636,549) discloses a spacer wire having a size smaller than that of the thread wire and helically interwrapped about the elongated shaft with the thread wire.

Regarding claim 4, Devenyi (US Pat. 5,636,549) discloses a thread wire that has a circular cross section.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the helical wire thread of Devenyi (US Pat. 5,636,549) within Beery et al. so as to form a hard, smooth thread comprising a wear-resistant running surface for engagement with a bearing nut member as suggested by Devenyi (US Pat. 5,636,549).

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Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beery et al. in view of Devenyi (US Pat. 5,636,549), as applied to claims 1-7, 9, 10, 12-13, and 16 above, further in view of Devenyi (US Pat. 5,533,417).

Beery et al. discloses the claimed invention except for the drive nut housing having an access opening therethrough.

Devenyi (US Pat. 5,533,417) discloses a drive nut housing having an access opening therethrough (fig. 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the drive nut housing opening of Devenyi (US Pat. 5,533,417) within Beery et al. so as to form a housing that is cheaper to produce with an access open that allows for assembly of internal components that is easier, as suggested by Devenyi (US Pat. 5,533,417).

Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beery et al. in view of Devenyi (US Pat. 5,636,549), as applied to claims 1-7, 9, 10, 12-13, and 16 above, further in view of Pan (US Pat. 6,459,844).

Beery et al. discloses the claimed invention except for an optical filter supported on the linear slide mechanism.

Pan discloses an optical filter supported on a linear slide apparatus.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the optical filter mechanism of Pan within Beery et al. so as

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to sustain an accurate positioning of a slide assembly over a substantial time, as suggested by Pan.

### ***FACSIMILE TRANSMISSION***

Submission of your response by facsimile transmission is encouraged. Group 3600's facsimile number is (703) 305-3597. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence not permitted by facsimile transmission, see MPEP 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check should not be submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 305-3597) on \_\_\_\_\_  
(Date)

Typed or printed name of person signing this certificate:

\_\_\_\_\_

\_\_\_\_\_  
(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

### ***Conclusion***

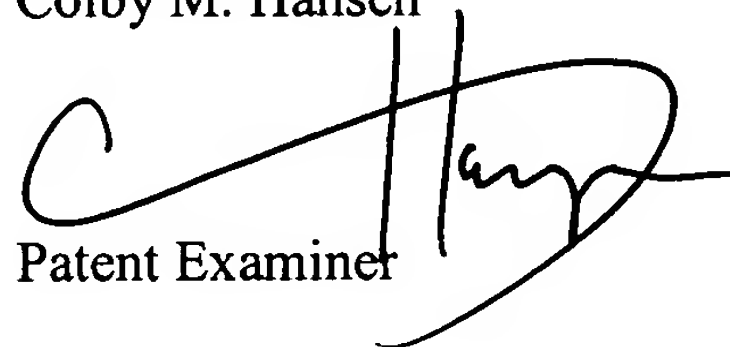
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colby Hansen whose telephone number is (703) 305-1036. The

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examiner can normally be reached on Monday through Thursday and every other Friday from 7:30 PM to 5:00 PM (EST).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci, can be reached on (703) 308-3668. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Colby M. Hansen

A handwritten signature in black ink, appearing to read 'Colby M. Hansen', written over the printed name and title.

Patent Examiner

9/8/03

A handwritten signature in black ink, appearing to read 'Thomas R. Hannon', written over the printed name and title.

Thomas R. Hannon  
Primary Examiner